

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

WILLIAM GARY FUGITT,,

Defendant.

CASE NO. CR05-5896RBL

ORDER CONTINUING  
TRIAL DATE

On October 5, 2006, counsel for defendant was allowed to withdraw and new counsel was appointed on October 6, 2006. Mr. Williams has orally acknowledged, on the record, that a continuance of the trial would happen due to the late substitution of counsel,. **An executed speedy trial waiver shall be filed with the court as soon as practicable..** In order to allow new counsel the time to prepare the October 16, 2006 trial date is stricken. The Trial Date is **NOW SET for JANUARY 22, 2006.**

In view of the foregoing, the court finds and rules as follows:

1. Failure to grant a continuance in this matter would deny the defense the reasonable time necessary for effective preparation taking into account the exercise of due diligence. Title 18 U.S.C. §3161(h)(8)(B)(iv).
2. The ends of justice served by granting the requested continuance outweigh the interest of the public and the defendant in a speedy trial. Title 18 U.S.C. §3161(h)(8)(A). The period of delay resulting from this continuance from **October 16, 2006 to January 22, 2007** is excluded for

1 speedy trial computation purposes under 18 U.S.C. § 3161(h)(8)(A) and (B) as this is a  
2 reasonable period of delay.  
3

4 ACCORDINGLY:

5 The Jury Trial is **CONTINUED** to Monday, **JANUARY 22, 2007 at 9:00 a.m.**

6 The Motions Cutoff date is extended to **DECEMBER 4, 2006**  
7

8 IT IS SO ORDERED this 13th day of October , 2006  
9

10   
11 RONALD B. LEIGHTON  
12 UNITED STATES DISTRICT JUDGE  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

ORDER -2

ORDER -2